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Filing date: **07/11/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057061
Party	Defendant Andrey A. Agapov
Correspondence Address	MATTHEW H. SWYERS THE TRADEMARK COMPANY, PLLC 344 MAPLE AVENUE WEST, SUITE 151 VIENNA, VA 22180 UNITED STATES mswyers@TheTrademarkCompany.com
Submission	Answer
Filer's Name	Matthew H. Swyers
Filer's e-mail	mswyers@thetrademarkcompany.com
Signature	/Matthew H. Swyers/
Date	07/11/2013
Attachments	Answer to Petitioner's Amended Petition to Cancel.pdf(166844 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
The Trademark Trial and Appeal Board**

Reg. No. 4,168,773
For the mark IT'S ON ME,
Registered on the Official Registry June 19, 2012

GIFTBOARD, INC.,

Petitioner,

vs.

MR. ANDREY A. AGAPOV,

Respondent.

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Cancellation No. 92057061

ANSWER AND GROUNDS OF DEFENSE

COMES NOW the Respondent, Mr. Andrey A. Agapov (hereinafter "Respondent"), by and through counsel, The Trademark Company, PLLC, and files his Answer and Grounds of Defense to the Amended Petition to Cancel and in response to Petitioner's allegations states as follows:

ANSWER

Respondent is without knowledge of the allegations set forth in the Introductory Paragraph of the Petitioner's Amended Petition to Cancel, and therefore denies the same. In response to the specifically enumerated allegations, the Respondent states as follows:

1. Respondent admits the allegations set forth in paragraph 1 of the Amended Petition to Cancel.

2. Respondent admits the allegations set forth in paragraph 2 of the Amended Petition to Cancel.

3. Respondent admits the allegations set forth in paragraph 3 of the Amended Petition to Cancel.

4. Respondent denies the allegations set forth in paragraph 4 of the Amended Petition to Cancel, and demands strict proof thereof.

5. Respondent denies the allegations set forth in paragraph 5 of the Amended Petition to Cancel, and demands strict proof thereof.

6. Respondent denies the allegations set forth in paragraph 6 of the Amended Petition to Cancel, and demands strict proof thereof.

7. Respondent denies the allegations set forth in paragraph 7 of the Amended Petition to Cancel, and demands strict proof thereof.

8. Respondent denies the allegations set forth in paragraph 8 of the Amended Petition to Cancel, and demands strict proof thereof.

9. Respondent denies the allegations set forth in paragraph 9 of the Amended Petition to Cancel, and demands strict proof thereof.

10. Respondent denies the allegations set forth in paragraph 10 of the Amended Petition to Cancel, and demands strict proof thereof.

11. Respondent denies the allegations set forth in paragraph 11 of the Amended Petition to Cancel, and demands strict proof thereof.

12. Respondent is without knowledge of the allegations set forth in paragraph 12 of the Amended Petition to Cancel, and therefore denies the same

13. Respondent denies the allegations set forth in paragraph 13 of the Amended Petition to Cancel, and demands strict proof thereof.

14. Respondent incorporates by reference his answers to the allegations contained in paragraphs 1-13 above.

15. Respondent denies the allegations set forth in paragraph 15 of the Amended Petition to Cancel, and demands strict proof thereof.

16. Respondent denies the allegations set forth in paragraph 16 of the Amended Petition to Cancel, and demands strict proof thereof.

17. Respondent denies the allegations set forth in paragraph 17 of the Amended Petition to Cancel, and demands strict proof thereof.

18. Respondent denies the allegations set forth in paragraph 18 of the Amended Petition to Cancel, and demands strict proof thereof.

19. Respondent admits the allegations set forth in paragraph 19 of the Amended Petition to Cancel.

20. Respondent admits the allegations set forth in paragraph 20 of the Amended Petition to Cancel.

21. Respondent denies the allegations set forth in paragraph 21 of the Amended Petition to Cancel, and demands strict proof thereof.

22. Respondent denies the allegations set forth in paragraph 22 of the Amended Petition to Cancel, and demands strict proof thereof.

23. Respondent denies the allegations set forth in paragraph 23 of the Amended Petition to Cancel, and demands strict proof thereof.

24. Respondent denies the allegations set forth in paragraph 24 of the Amended Petition to Cancel, and demands strict proof thereof.

25. Respondent denies the allegations set forth in paragraph 25 of the Amended Petition to Cancel, and demands strict proof thereof.

WHEREFORE, Respondent prays that the Amended Petition to Cancel be dismissed.

Respectfully submitted this 11th day of July, 2013.

THE TRADEMARK COMPANY, PLLC

/Matthew H. Swyers/

Matthew H. Swyers, Esq.

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Counsel for Respondent

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Cancellation No. 92057061

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I caused a copy of the foregoing this 11th day of July, 2013, to
be served, via first class mail, postage prepaid, upon:

Douglas Burda, Esq.
Burda IP
PO BOX 1532
La Jolla, CA 92038

/Matthew H. Swyers/
Matthew H. Swyers